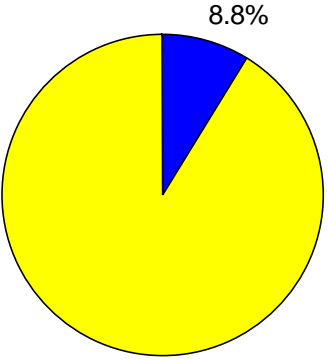


04-05-Cable Communications Regulation

Fund/Agency: 105/04	Department of Cable Communications and Consumer Protection	
Personnel Services	\$887,717	CAPS Percentage of Agency Total  91.2% 8.8% <div>■ Cable Communications Regulation ■ All Other Agency CAPS</div>
Operating Expenses	\$445,975	
Recovered Costs	\$0	
Capital Equipment	\$0	
Total CAPS Cost:	\$1,333,692	
Federal Revenue	\$0	
State Revenue	\$0	
User Fee Revenue	\$0	
Other Revenue	\$11,058,862	
Total Revenue:	\$11,058,862	
Net CAPS Cost:	(\$9,725,170)	
Positions/SYE involved in the delivery of this CAPS	21/10.5	

► CAPS Summary

Cable Communications Regulation includes: cable franchise administration for Cox Communications Northern Virginia and Comcast Communications; assessing liquidated damages for franchise or County Code Chapter 9.1 violations; Fund 105 Cable Communications administration; regulation of basic cable rates and equipment and installation charges; investigation and resolution of cable subscriber complaints; and, institutional network (I-Net) operation and administration. These activities are the result of the federal Communications Act, which delegated the power to franchise cable operators to a Local Franchising Authority. The County's franchising authority is administered by this CAPS. This program has a direct impact on the County and its 260,000 households that subscribe to a cable service provider, as represented by the following examples:

- Regular review of a cable operator's customer service performance to ensure strict conformance with Federal Communications Commission (FCC) and County regulations and statutes;

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- Intervention on behalf of cable subscribers in complaints against the cable service provider;
- Responding to citizen inquires and questions regarding video services (e.g., cable, DBS, and broadcast);
- Serving as cable franchise administrator for the Town of Clifton, Herndon, and Vienna;
- Providing cable franchise administrative support to the City of Fairfax and Fall Church;
- Administration of Fund 105, Cable Communications, that includes the audit of cable operators' gross revenues and franchise fee payments;
- Auditing, accounting, and administration of cable franchise and public, educational, and governmental access fees;
- Auditing and evaluation of cable operator's rates and charges to ensure strict conformance with Federal Communications Commission cable rates and charges regulations;
- Preparing, in coordination with the County Attorney, and filing of County petitions with the FCC;
- Establishing an I-Net implementation team;
- Developing an preliminary I-Net system design; and,
- Coordinating I-Net construction to County/FCPS sites.

Note: The I-Net implementation and operational functions, and the corresponding four positions, were transferred to the Department of Information Technology (DIT) in February 2001. This was to consolidate the I-Net and telecommunications infrastructure programs. Coincident with this transfer, all the information and design elements related to the I-Net were provided to DIT. Therefore, the continuation of the I-Net related CAPS are reflected under DIT's Communications CAPS. However, the I-Net and I-Net positions continue to be funded by Fund 105 for the purpose of tracking all cable revenues and expenditures.

► **Method of Service Provision**

Services are provided primarily by merit County employees, Monday through Friday, 8:00 a.m. to 4:30 p.m. Additional services are provided by exempt limited term County employees as required.

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► Performance/Workload Related Data

- Many of the functions and services of this CAPS are of a managerial or analytical nature, which are difficult to measure as performance standards (e.g., franchise transfer and renewal activities, franchise administrative support Towns and Cities, special cable operator audits, etc.).
- Systematic review cable operator's customer service performance, that resulted in the assessment of \$31,400 in FY 2001 of liquidated damages and an improvement in the availability of customer service representatives to answer subscriber inquires and complaints.
- Intervention in FY 2001 on behalf of 729 cable subscriber complaints, resolving 698 of those complaints as of July 2001.
- Audited Cox Communications' telephone answering statistics.
- Conducted I-Net site surveys and mapping of approximately 80 County facilities.
- Reviewed and revised approximately 30 County facility I-Net construction plans.
- Developing a preliminary WAN architecture with the major County/FCPS vendor to support existing and future applications.

► Mandate Information

This CAPS is Federally or State mandated. The percentage of this CAPS' resources utilized to satisfy the mandate is 26 - 50%. The specific Federal or State code and a brief description of the code follows:

- Communications Act of 1934, as amended
- Title VI, Cable Communications and Code of Virginia Section 15.2-2108, Licensing, etc., and regulation of cable television systems. Enabling and regulatory statutes for the franchising of cable communications systems.